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**FOR IMMEDIATE RELEASE:**

**FOUNTAIN COUNTY MAN CHARGED WITH BEING FELON  
IN POSSESSION OF FIREARMS AND AMMUNITION**

**PRESS RELEASE**

Susan W. Brooks, United States Attorney for the Southern District of Indiana, announced that RUSSELL APPEGATE, 54, Attica, was indicted by a federal grand jury sitting in Indianapolis for two counts of possession of a firearm by a person previously convicted of a felony and one count of possession of ammunition by a person convicted of a prior felony. This prosecution follows an investigation by the Fountain County Sheriff's Department, the Indiana State Police and the Bureau of Alcohol, Tobacco, Firearms and Explosives, and is part of the PROJECT SAFE NEIGHBORHOODS initiative.

\_\_\_\_\_ On August 22, 2006, APPEGATE and three other men entered a gun dealer's store in Cayuga, Indiana. APPEGATE could not purchase firearms or ammunition because he was

previously convicted of a prior felony. The indictment alleges that he was convicted of Criminal Recklessness, a Class D Felony, in Fountain County in 2004.

While at the gun dealer' s store, another individual allegedly received money from APPLEGATE to purchase three weapons, including a .45 caliber Derringer pistol. Because one of the firearms was a handgun, the weapon could not be taken on the day of purchase. The alleged “ straw purchaser” of the firearms delivered the .45 caliber Derringer to APPLEGATE at his home on August 29, 2006. APPLEGATE was arrested shortly after the delivery.

On August 30, 2006, APPLEGATE' s residence was searched pursuant to a search warrant. Law enforcement agents recovered approximately five firearms and 1,400 rounds of ammunition.

According to First Assistant United States Attorney Timothy M. Morrison, who is prosecuting the case for the government, APPLEGATE faces a maximum possible prison sentence of 10 years and a maximum possible fine of \$250,000 on each charge. An initial hearing on the indictment will be scheduled before a U.S. Magistrate Judge in Indianapolis. APPLEGATE was ordered detained pending resolution of his case, following a hearing before a U.S. Magistrate Judge.

**The indictment is an allegation only, and the defendant is presumed innocent unless and until proven guilty at trial or by guilty plea.**

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